

1      **S. R. Mitchell (SBN 172664)**  
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8      Attorney for Plaintiffs

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10     **IN THE UNITED STATES DISTRICT COURT**  
11     **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

12     **THE MITCHELL LAW GROUP, a California**  
13     **Professional Corporation; THE MITCHELL**  
14     **LAW CORPORATION, a California**  
15     **Professional Corporation;**

16         Plaintiffs,

17         vs.

18     **OCC VENTURE LLC, a Delaware limited**  
19     **liability company; Shorenstein Realty**  
20     **Services, a California Corporation, and Bell**  
21     **Rosenberg and Hughes, LLP, a California**  
22     **limited liability partnership; Does 1-10.**

23         Defendants.

24     Civil Case No.: C09-3466 MMC ADR

25     **EX PARTE APPLICATION AND**  
26     **STIPULATION TO DISMISS**  
27     **COMPLAINT AND**  
28     **COUNTERCLAIM WITH**  
29     **PREJUDICE**

30     AND ORDER THEREON

31     Trial Date: January 10, 2011

32     **STIPULATION TO DISMISS COMPLAINT AND COUNTERCLAIM WITH**  
33     **PREJUDICE.**

34     **WHERE AS** the parties to this Second Amended Complaint, **PLAINTIFFS** The Mitchell  
35     Law Group, a California professional corporation, The Mitchell Law Corporation, a California

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36     **EX PARTE APPLICATION AND STIPULATION TO DISMISS**  
37     **COMPLAINT AND COUNTERCLAIM WITH PREJUDICE**

38     U.S.D.C. Case No. Civ. C09-3466 MMC ADR

1 professional corporation, and **DEFENDANTS** OCC Venture LLP, Shorenstein Realty Services,  
2 L.P., Bell Rosenberg & Hughes LLP have reached a full and complete settlement of their dispute  
3 and have reduced their settlement and release to a written Global Settlement Agreement and  
4 Mutual General Release (hereinafter "The Settlement and Release Agreement").

5 **WHERE AS** the parties to the Counterclaim, **COUNTERCLAIMANT** OCC Venture  
6 LLC and **COUNTERDEFENDANT** The Mitchell Law Group, a California professional  
7 corporation have reached a full and complete settlement of their dispute and have reduced their  
8 settlement and release to the written Settlement and Release Agreement.

9 **WHERE AS**, pursuant to the terms of The Settlement and Release Agreement, **IT IS**  
10 **HEREBY STIPULATED** by and between the parties to this action through their designated  
11 counsel that the above-captioned action be and hereby is dismissed with prejudice pursuant to  
12 Federal Rule of Civil Procedure 41(a)(1).

13 **IT IS SO AGREED:**

14 Dated: July 6, 2010

By: /s/ S. Raye Mitchell

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19 Attorney for Plaintiffs  
20 THE MITCHELL LAW GROUP, a California  
21 professional corporation, and THE MITCHELL  
LAW CORPORATION, a California professional  
corporation

22 Dated: July 6, 2010

By: /s/ John H. Banister

John H. Banister  
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26 Attorneys for Defendant  
27 BELL ROSENBERG & HUGHES LLP

1 Dated: July 6, 2010

By: /s/ Charles H. Horn

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8 Attorneys for Defendants  
9 OCC VENTURE LLC and SHORENSTEIN  
10 REALTY SERVICES, L.P.

11 Dated: July 6, 2010

By: /s/ Paul F. Utrecht

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18 Attorneys for Counterclaimant  
19 OCC VENTURE LLC

20 **IT IS SO ORDERED:**

21 Dated: July 7, 2010

22 /s/ Vaughn R Walker for \_\_\_\_\_  
23 Honorable Judge Maxine Chesney